

years thereafter elect one person to be Mayor of Salisbury, and on the first Tuesday in May, in the year nineteen hundred and twenty-eight, and on the same day of each year thereafter elect three persons to be Councilmen, and at any such election vote on any questions submitted to them under the provisions of law, and elect, as hereinafter provided, a person or persons, as the case may be, to fill any office or offices vacated by resignation, death, removal or otherwise.

1908, ch. 310, sec. 135 (p. 1101). 1927, ch. 138, sec. 135

**263.** The Mayor shall, by publication in one or more newspapers published in Salisbury at least ten days prior to holding any such election, give notice thereof, stating the object of said election and the time and place and hours of holding the same. The Mayor shall, at least three days prior to the holding of any such election, appoint six citizens, qualified voters of said City, four of whom shall be from the majority party and two from the minority party at last State election, to act as the Judges of the Election at each of the voting places provided by the Mayor and Council who, before acting as such, shall take oath in due form of law, before the Clerk of the Circuit Court for Wicomico County, or a Justice of the Peace, to fairly and impartially perform the duties of judges of such election. In case any of the persons so appointed as judges should fail to appear and qualify or to open the polls at the hour when same should be opened, or to perform any of the duties required of them as such judges, unless excused before time of opening the polls by the Mayor, then the judge or judges so failing to qualify or open the polls as aforesaid, or to perform any of the duties required of them as such judges or as clerk, unless incapacitated by sickness, shall be deemed guilty of a misdemeanor, and on conviction after indictment shall be fined not less than fifty dollars nor more than five hundred dollars and be committed to the County Jail until the fine and costs are paid, or both fined and sentenced to the House of Correction for not less than three nor more than twelve months, at the discretion of the Court.

In case any or all of the judges so appointed should fail to qualify or be present at the opening of the polls at any such election, then the mayor may at once appoint another person or persons to act in the place of the one or ones not qualifying or present, then the judge or judges present shall appoint from the voters present at the opening hour at the poll room some qualified person or persons to act as judge in the place of the one or ones not qualified or present, and the judges present or one of them may administer the oath required to the one or ones so appointed. And in case that none of the judges are present at the time for the opening of the polls at such election, then the qualified voters who are present shall select six of their number who shall qualify and act as judges of said election, subject to all the provisions and penalties herein. The judges shall keep the polls open from 8 o'clock A. M. to 6 o'clock P. M.; they shall within two days of the election return under their hands and seals the number of votes cast for each person and for what office or object, together with the ballots, taken in sealed packages to the Clerk of the